



Policy and Finance Committee

Date: 19 April 2021

Title: Standing Orders

Purpose of the Report: To consider possible draft amendments to Town Council Standing Orders.

Contact Officer: Sarah Sandiford, Head of Democratic and Central Services/Deputy Town Clerk

Corporate Objective/s	To consolidate processes and procedures, ensuring operational efficiency.	
Implications:		
Financial	None	
Human Resources	None	
Operational/Service delivery	Yes	To ensure the Town Council's governing procedures are clear and fit for purpose to guide decision making processes.
Legal	None	Existing Town Council Standing Orders are compliant with legislative requirements.

1. RECOMMENDATION

1.1 To consider the recommendation made by the Standing Orders Task and Finish Group at its meeting held 26 February 2021: to approve and recommend to Council adoption of revisions to Town Council Standing Orders, particularly in respect of: public questions, councillor questions, ordinary Council meetings, delegated authority to the Town Clerk and political groups.

2. BACKGROUND

2.1 Parish councils are empowered by the Local Government Act 1972 (Sch 12) to make Standing Orders to regulate their business and proceedings, and to vary or revoke them.

2.2 The National Association of Local Councils (NALC), which is the national body representing the 10,000 parish councils in England, issues Model Standing Orders for parish councils to use as a basis for their own Standing Orders.

- 2.3 The NALC Model includes reference to all legislation which parish councils are required to adhere to, such as for example the Local Government Act 1972, The Public Bodies (Admissions to Meetings) Act 1960, the Localism Act 2011, the Data Protection Act 2018.
- 2.4 The NALC Model clearly indicates which Standing Orders are essential for compliance with legislation and which are open to consideration by individual councils. Town Council Standing Orders have for many years been based upon the NALC Model but also include a number of additions which are specific to Leighton-Linslade Town Council (LLTC).
- 2.5 Standing Orders are reviewed each year, primarily to include any new recommendations arising from NALC. At its meeting held on 21 September 2020, the Policy and Finance Committee agreed that a Task and Finish Group be formed to review current Standing Orders.
- 2.6 At its first meeting on 26 November 2020, the group raised a couple of queries relating to NALC Model Standing Orders which have been passed on to NALC for a response.
- 2.7 At its second meeting on 11 January 2021, the group received the findings of a review of Standing Orders of eight other larger town councils and looked in detail at those of Weymouth Town Council. The group agreed in principle to the inclusion of additional information in relation to: public questions, councillor questions, ordinary Council meetings, staffing, delegation of authority to the Town Clerk (Proper Officer) and political groups.
- 2.8 At its final meeting held 26 February 2021, the group reviewed proposed changes to the Town Council's Standing Orders and made a recommendation to this committee to approve these.

3. SUMMARY OF AMENDMENTS

- 3.1 The proposed amendments are shown **in blue text and highlighted** in the **attached** version of Town Council Standing Orders. The main amendments can be summarised as below.
- 3.2 **Removal of traffic lighting:** this previously indicated the statutory position of various Standing Orders. This is replaced with the presumption that all Standing Orders apply to all meetings of Council, Committees, Sub Committees and Task and Finish groups, unless otherwise stated. Statutory provisions are still shown in bold type and these may not be suspended.
- 3.3 **Public Questions:** SO 3(e) has been expanded to provide further detail on public questions.
- 3.4 **Council Meetings:** SO 5 has been expanded to set out not only the content of the Annual Council Meeting but also that of ordinary Council meetings.

- 3.5 **Delegated authority:** SO 15 has been expanded to clarify the position in terms of delegated authority to the Proper Officer and to set out procedures for emergency decision making (SO 15 (c)(vii)).
- 3.6 **Questions from Councillors:** SO 27 gives greater clarification on questions and statements by councillors.
- 3.7 **Political Groups:** this section gives additional clarity in respect of political groups.
- 3.8 The Task and Finish Group considered **meeting attendance**. Sector practice is that Councillors who are neither committee members nor named substitutes are effectively present as members of the public and should not remain in the meeting for any confidential matters. This is not current LLTC practice. It was agreed that all councillors were entitled to attend any meetings including those of the Personnel Sub-Committee, but excluding the Disciplinary, Grievance & Appeals Sub Committee (SO 4(h) amended).
- 3.9 The Task and Finish Group considered **substitutes**. SO 4(f) allows a committee to appoint named substitutes. This is not current LLTC practice, whereby any councillor may be asked to substitute for another, occasionally beyond political groups. It was agreed not to make any changes to standing orders in respect of substitutes.

4. CONCLUSIONS

- 4.1 The proposed revisions will seek to address some recent queries and provide a clearer framework for all meetings of the Council and its committees.
- 4.2 Should the Committee be minded to recommend approval of the changes to Council on 26 April, then once proposed and seconded, those changes shall stand adjourned without discussion until the next ordinary meeting of the Council (currently scheduled for Monday, 17 May but this may be subject to change), in accordance with Standing Order 26 (b).

End.